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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/615,732      | 07/13/2000  | Hidemi Sasaki        | Q60031              | 4947             |

7590 02/20/2004  
Sughrue Mion Zinn Macpeak & Seas  
2100 Pennsylvania Avenue NW  
Washington, DC 20037

EXAMINER

LAMB, TWYLER MARIE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2622

DATE MAILED: 02/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/615,732

Applicant(s)

SASAKI, HIDEKI

Examiner

Twyler M. Lamb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### **Notice to Applicant (s)**

1. This action is responsive to the following communications: amendment A filed on 12/4/03.
2. This application has been reconsidered. Claims 1-12 are pending.

### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Gowda et al. (Gowda) (US 6,628,333).

With regard to claim 1, Gowda discloses an electronic still camera (Figures 1 and 2, digital camera 100) with a printer (printer 114) incorporated therein, the electronic still camera being capable of picking up an electronic image signal from a subject through

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an imaging device (imager 110) and printing an image on a recording material based on said electronic image signal (col 2, lines 30-36), comprising: a monitor (preview unit 116) that is incorporated into said camera and is able to display an image based on said electronic image signal at the same magnification as the image printed on the recording material by said printer (col 2, lines 36-38); wherein the image on said monitor can be viewed concurrently with the printing of the image on said printer (col 4, line 25 – col 6, line 15).

With regard to claim 2, Gowda also wherein the monitor has a screen size that is approximately equal to a predetermined printing area of the recording material (col 4, line 25 – col 6, line 15).

With regard to claim 3, Gowda also discloses wherein the monitor consists of pixels that are approximately equal in number to pixels of the image printed in a predetermined printing area of the recording material (col 4, line 25 – col 6, line 15).

With regard to claim 4, Gowda also discloses wherein the monitor is an LCD panel (col 2, lines 36-38).

With regard to claim 5, Gowda also discloses wherein the recording material is a self-developing type instant photo film (col 2, lines 33-36).

With regard to claim 6, Gowda also discloses further comprising an electronic viewfinder (preview unit 116) for displaying moving images of the subject in a real time fashion based on the electronic image signal picked up through the imaging device, wherein the electronic viewfinder is smaller in size than the monitor (col 6, lines 38-44).

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With regard to claim 7, Gowda discloses a printer (printer 14) for printing an image on a recording material based on electronic image signal (col 2, lines 30-36), comprising a monitor (preview unit 116) that is incorporated into a printer body, for displaying an image based on the electronic image signal at approximately the same magnification as when the image is printed on the recording material col 2, lines 36-38); wherein the image on said monitor can be viewed concurrently with the printing of the image on said printer (col 4, line 25 – col 6, line 15).

With regard to claim 8, Gowda also discloses wherein the recording material is a self-developing type instant photo film (col 2, lines 33-36).

With regard to claim 9, Gowda also discloses wherein the monitor has a screen size that is approximately equal to a predetermined printing area of the recording material (col 4, line 25 – col 6, line 15).

With regard to claim 10, Gowda also discloses wherein the monitor consists of pixels that are approximately equal in number to pixels of the image printed in a predetermined printing area of the recording material (col 4, line 25 – col 6, line 15).

With regard to claim 11, Gowda also discloses wherein the monitor is an LCD panel (col 2, lines 36-38).

With regard to claim 12, Gowda also discloses wherein said printer uses a three color frame printing process (col 3, line 66 – col 4, line 9).

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***Response to Arguments***

6. Applicant's arguments, see page 5, line 14 – page 6, line 11, filed 12/4/03, with respect to the rejection(s) of claim(s) 1-11 under 35 USC 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Gowda et al. (Gowda) (US 6,628,333).

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

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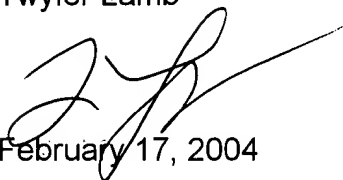
Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

Twyler Lamb

A handwritten signature in black ink, appearing to be 'T. Lamb', written over the date.

February 17, 2004